



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,610	10/14/2003	Owen Jeffries	22648-095470	2926
7590 David J. Simonelli Clark Hill PLC Suite 3500 500 Woodward Avenue Detroit, MI 48226-3435			EXAMINER HARRIER, JASON D	
			ART UNIT	PAPER NUMBER
			3628	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/684,610

Applicant(s)

JEFFRIES, OWEN

Examiner

Jason D. Harrier

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/16/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens (International Publication Number WO 99/59094).

As per Claims 1, 8, and 14, Stevens discloses a computer system, user computer, or server for assessing hazards, comprising:

- a database storing hazard data, safety requirement data and work area data; (Page 5, lines 1-30; Page 6, lines 1-30; Page 9, lines 1-10).
- a first interface arranged to present potential work areas from the work area data to a user, and to receive input from the user identifying the work area associated with a particular task; (Page 5, lines 15-31; Page 6, lines 1-10; Page 9, lines 1-10) (System presents interactive screens and allow a user to view and input work areas associated with a set of hazard data).
- a second interface arranged to present potential hazards from the hazard data to the user, each potential hazard being associated with the work area identified by the user as associated with the particular task, and to receive input from the user identifying which potential hazards are associated with the particular task; (Page 5, lines 15-31; Page 6,

Art Unit: 3628

lines 1-10; Page 9, lines 1-10) (System presents interactive screens and allow a user to view and input hazard data associated with a particular record).

- a communicator for transmitting work area data and hazard data to an interface of a user computer and receiving data from the interface identifying the potential hazards associated with a particular task; (Page 7, lines 15-31; Page 8, lines 1-31, Page 9, lines 1-15) and
- a reporter arranged to present to the user each hazard identified by the user for the task, and to present with each identified hazard the safety data associated with said hazard from the database. (Page 7, lines 15-31; Page 8, lines 1-31, Page 9, lines 1-15)

Stevens fails to explicitly disclose wherein the safety requirement data being associated with the hazard data and the hazard data being associated with the work area data. However, Stevens teaches that all data related to a material and related materials are linked together by relationships among relational databases. This data includes, but is not limited to, hazard data, environmental data, and worker safety data. (Page 6, lines 1-31; Page 7, lines 1-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to associate safety requirement data with hazard data and associate hazard data with work area data because in a system built with relational databases, it is advantageous to link all data fields together, as taught by Stevens, in order to provide users of the system with advanced searching capabilities and the display of the most relevant information associated with particular hazard information.

As per Claims 2, 9, and 15, Stevens further discloses a computer system wherein the safety requirement data includes personal protective equipment data, safe working requirements data,

Art Unit: 3628

equipment and permit data, each of which are associated with the hazard data. (Page 6, lines 1-31; Page 7, lines 1-15; Page 39, lines 10-15). (Stevens discloses that the databases include information related to regulations, safety, and specifically employee safety. Examiner interprets this to include permit data and all data pertaining to employee safety, which would include equipment and safe working requirements.)

As per Claims 3, 10, and 16, Stevens further discloses a computer system wherein the database also stores risk-rating data, the risk rating data being associated with the hazard data, and wherein the reporter is arranged to present the risk rating associated with the hazard with each identified hazard. (Page 5, lines 15-31; Page 7, lines 15-31; Page 8, lines 25-31; Page 9; lines 1-15)

As per Claims 4 and 17, Stevens further discloses a computer system, further comprising risk assessor arranged to present at least one question to an authorized person regarding a hazard in the hazard data, and to calculate from the authorized person's responses thereto a risk rating for that hazard, and to store the risk rating in the risk rating data associated with the hazard. (Page 5, lines 15-31; Page 6, lines 1-31; Page 13, lines 1-20; Page 16, lines 1-10, Page 20, lines 20-31, Page 37, lines 1-6) (Authoring module through dialog boxes or other interaction prompts user for information regarding hazards. An analyzer produces hazard information, which Examiner interprets to be the same as risk information.)

As per Claims 5, 11, 18, Stevens further discloses a computer system, wherein the hazard data is arranged hierarchically to form hazard category data and hazard descriptor data, each hazard descriptor being associated with a hazard category, wherein said second interface is arranged to present to a user each hazard category, and if the user indicates a hazard category as

Art Unit: 3628

applicable for the particular task to also present each hazard descriptor associated with that hazard category to the user, along with the safety requirement data. (Page 7, lines 15-31; Page 8, lines 1-31; Page 9, lines 1-12) (Outputs and displays all data, including hazard data to the user after logically associated data material records with specific data).

As per Claims 6, 12 and 19, Stevens further discloses a computer system, wherein the database includes work type data. (Page 6, lines 1-31; Page 7, lines 1-15; Page 39, lines 10-15). (Stevens discloses that the databases include information related to regulations, safety, and specifically employee safety. Examiner interprets this to include permit data and all data pertaining to employee safety, which would include equipment and safe working requirements.)

Stevens fails to explicitly disclose wherein the work area data being associated with the work type data. However, Stevens teaches that all data related to a material and related materials are linked together by relationships among relational databases. This data includes, but is not limited to, hazard data, environmental data, and worker safety data. (Page 6, lines 1-31; Page 7, lines 1-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to associate work area data with the work type data because in a system built with relational databases, it is advantageous to link all data fields together, as taught by Stevens, in order to provide users of the system with advanced searching capabilities and the display of the most relevant information associated with particular hazard information.

As per Claims 7 and 13, Stevens fails to disclose a computer system, wherein said first interface and said second interface are combined. However, examiner notes that combining two computer interfaces into a single interface is a matter of design choice. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine two

Art Unit: 3628

interfaces into a single interface based on design choice. The developer of a computer interface is motivated to create a simple experience for the user of a system, save time, and also save resources, which may be accomplished by combining two interfaces into a single interface.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 20** is rejected under 35 U.S.C. 102(b) as being anticipated by Stevens.

(International Publication Number WO 99/59094)

As per Claim 20, Stevens discloses a server computer as claimed in claim 14, wherein:

- each database is associated with at least one user having permission to access the database; (Figure 4; Page 8, lines 25-31; Page 9, lines 1-15)
- the communicator is adapted to transmit to the user computer operated by the at least one user, work area data and hazard data stored in the database that the user has permission to access; (Figure 4; Page 9, lines 1-15; Page 33, lines 15-31; Page 34, lines 1-20) and
- the reporter is adapted to generate the report on each hazard identified by the user for the task using data stored in the database that the user has permission to access, the report being provided to the at least one user of the user computer. (Page 7, lines 15-31; Page 8, lines 1-31, Page 9, lines 1-15).

Conclusion

Examiner's Note: Examiner has cited particular columns, line numbers, and paragraphs in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing responses, fully consider each of the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D. Harrier whose telephone number is (571) 272-5866. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3628

Jason D. Harrier
Art Unit 3628

JDH

Please address mail to be delivered by the United States Postal Service (USPS) as follows:


Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or fax to:

(571) 273-5866 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314.



**IGOR N. BORISSOV
PRIMARY EXAMINER**